

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application of:	:	
J. Michael Fitzpatrick, <i>et al.</i>	:	
	:	
Conf. No.: 6931	:	Group Art Unit: 3731
	:	
Appln. No.: 10/526,754	:	Examiner: Ryan J. Severson
	:	
Filing Date: March 4, 2005	:	Attorney Docket No.: 9823-26U1
	:	
Title:	:	FIDUCIAL MARKER HOLDER SYSTEM FOR SURGERY

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
UNDER 37 C.F.R. 1.114**

This is a request under 37 CFR 1.114 for continued examination (RCE) of the above identified application in response to the Final Office Action mailed June 30, 2008 (Paper No. 20080623). Enclosed are the following in support of the RCE under 37 C.F.R. 1.114:

- ☒ An Amendment
- ☐ A Supplemental Information Disclosure Statement, PTO/SB/08A and cited references.
- ☐ New formal drawings.
- ☐ A Petition for Extension of Time for the pending application.
- ☐ Other:

The following fees are enclosed:

- ☒ RCE fee of \$405.00 for a small entity required under 37 C.F.R. 1.17(e).
- ☐ Extension of time fee in the amount of \$
- ☐ Additional claim fees for excess claims submitted in the enclosed Amendment, calculated as follows:

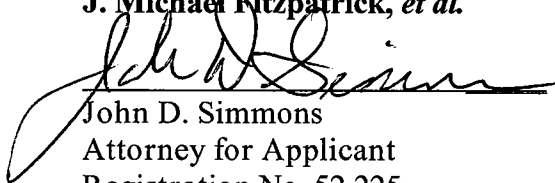
					SMALL ENTITY		LARGE ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	RATE	ADDIT. FEE
TOTAL		(-)	or 20		x25		x50	
INDEP.		(-)	or 3		x100		x200	
<input type="checkbox"/> 1st PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					+\$180		+\$360	
					<b>TOTAL</b>		<b>TOTAL</b>	

- ☐ Firm check(s) totaling \$\_\_\_\_ is enclosed herewith.
- ☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (Billing No. **209823.0031**) as noted below.
- ☒ Any overpayments or deficiencies in the above-calculated fee(s).
- ☒ RCE fee for a small entity in the amount of \$405.00
- ☐ Extension fee in the amount of \$\_\_\_\_\_
- ☐ Additional claim fee(s) in the amount of \$\_\_\_\_.00 as calculated above.
- ☒ Any additional fees required under 37 C.F.R. §§ 1.16 or 1.17.
- ☒ In the event that a Petition for Extension of Time is required, but not enclosed, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above

Respectfully submitted,

**J. Michael Fitzpatrick, et al.**

September 24, 2008  
(Date)

  
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